



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,474	09/10/2001	Harald Schopp	West.6189	4919

7590 10/18/2006

Patrick J O'Shea
O'Shea Getz & Kosakowski
1500 Main Street Suite 912
Springfield, MA 01115

EXAMINER

BUI, KIEU OANH T

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/857,474	Applicant(s) SCHOPP ET AL.	
	Examiner KIEU-OANH BUI	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 6-19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 6-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edens et al. (U.S. Patent No. 6,611,537 B1) in view of Stirling et al. (US patent 6,865,188 B1).

Regarding claim 6, Edens discloses an optical ring network for use in homes, motor vehicle and other environments (Fig. 1, and col. 13/lines 24-40) comprises an optical data line configured in a ring network (as illustrated in Fig. 1/item 120 for a ring network and/or Fig. 7 for a clearer ring topology, and col. 13/lines 40-55 with optical fiber cable is used, refer to col. 15/lines 52-60), a playback transducer (CD/DVD player or multimedia PC of Fig. 1), at least one data source (satellite received at DSS tuner and FM broadcasting received at FM tuner of Fig. 1) connected to the optical data line, and provides compressed data onto the optical data line (col. 13/lines 55-65 as MPEG2 stream is compressed and delivered to the logical ring network 120); and at least one data sink connected to the optical data line for receiving the compressed signal and the data sink includes a bit stream decoder to decompress the received compressed data and

Art Unit: 2623

provide it to the playback transducer (for playing) (refer to Fig. 1, and col. 14/lines 7-23 for MPEG decoder 151, 161 for decoding the compressed data to display on the television).

In addition, Edens further teaches “wherein the at least one data sink includes a control unit that selectively adapts the decompression of the received compressed data by the bit stream decoder based upon the compression format of the received compressed data, where the format of the received compressed data may be one of a plurality of compressed formats”, i.e., a multimedia PC 170 can be functioned as a controller in controlling devices to adapt to transmit and receive digital media to/and from other network devices according to formats, types, or protocols (col. 14/lines 8-51 & col. 15/line 60 to col. 16/line 11), and even different compressed formats, refer to col. 34/lines 1-15 for compressed MPEG1 and compressed MPEG2 and so on, and more details on MPEG1 and MPEG2, see col. 102/line 56 to col. 104/line 18. It is clear that more than one compressed format is used in addition to other formats such as serial data, TCP/IP packets for real-time continuous data streams.

Edens does not further clearly show the controller and the transducer as separate items (as argued by the applicants); however, Stirling clearly teaches an optical ring network (as shown in Figs. 1 & 2 & 7 and col. 1/line 55 to col. 2/line 14), wherein the system has a controller as shown in Figs. 2 & 7 and the transducer is one of the device as CD ROM, VCR or radio or DVD as in Fig. 12; and Stirling also teaches the at least one data sink as the DVD DIS (Fig. 12) has a control that adapts to receive compressed data and decode different compressed formats (col. 8/line 46 to col. 9/line 28 and col. 14/line 55 to col. 16/line 14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eden’s ring network with Stirling’s teaching technique of having an optical ring network with a separate

Art Unit: 2623

controller and transducer in order to provide and control the delivery of different source data as well as the adaptation of decoding different compressed formats as taught by Stirling.

As for claims 7 and 8, Edens further discloses wherein the bit stream decoder decompresses video and audio data (col. 14/lines 7-23 for MPEG2 for audio/sound decoding with AC-3 surround sound decoder and video decoding to view and listen MPEG movies).

As for claim 9, Edens discloses wherein the playback transducer includes at least one loudspeaker (speakers 153, 154, 156, 157, 158 for Fig. 1, col. 14/lines 7-23).

As for claim 10, Edens further discloses wherein the playback transducer includes a video display (LCD display screen is addressed, refer to col. 14/lines 7-23 again).

As for claim 11, Edens further teaches wherein the bit stream decoder includes an MPEG decoder, JPEG decoder and an AC decoder (col. 14/lines 7-23 for MPEG and AC-3 decoders and a JPEG decoder is also suggested to include as computer graphics images can be viewed on the LCD screen).

As for claim 12, Edens further discloses wherein the at least one data source includes a radio tuner (Fig. 1/item 130 for a FM radio tuner).

As for claim 13, Edens further discloses to include a second data source that includes a DVD player connected to the logical ring network to provide compressed data onto the optical data line (Fig. 1/item 180 for a DVD is connected to ring network 120).

As for claim 14, Edens teaches this limitation as DSP 152 is configured to control the selectively configuration as one of decoders MPEG, JPEG and/or AC-3 accordingly (col. 14/lines 7-40).

Regarding claim 15, Edens' reference reads on this claim, refer to claims 6-8, and 12-13 above, not limited to the cited paragraphs above but also to the entire disclosure of Edens' reference. In addition, Edens further teaches "wherein the at least one data sink includes a control unit that selectively adapts the decompression of the received compressed data by the bit stream decoder based upon the compression format of the received compressed data, where the format of the received compressed data may be one of a plurality of compressed formats", i.e., a multimedia PC 170 can be functioned as a controller in controlling devices to adapt to transmit and receive digital media to/and from other network devices according to formats, types, or protocols (col. 14/lines 8-51 & col. 15/line 60 to col. 16/line 11), and even different compressed formats, refer to col. 34/lines 1-15 for compressed MPEG1 and compressed MPEG2 and so on, and more details on MPEG1 and MPEG2, see col. 102/line 56 to col. 104/line 18. It is clear that more than one compressed format is used in addition to other formats such as serial data, TCP/IP packets for real-time continuous data streams.

Edens does not further clearly show the controller and the transducer as separate items (as argued by the applicants); however, Stirling clearly teaches an optical ring network (as shown in Figs. 1 & 2 & 7 and col. 1/line 55 to col. 2/line 14), wherein the system has a controller as shown in Figs. 2 & 7 and the transducer is one of the device as CD ROM, VCR or radio or DVD as in Fig. 12; and Stirling also teaches the at least one data sink as the DVD DIS (Fig. 12) has a control that adapts to receive compressed data and decode different compressed formats (col. 8/line 46 to col. 9/line 28 and col. 14/line 55 to col. 16/line 14). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Eden's ring network with Stirling's teaching technique of having an optical ring network with a separate

Art Unit: 2623

controller and transducer in order to provide and control the delivery of different source data as well as the adaptation of decoding different compressed formats as taught by Stirling.

As for claims 16-19, Edens discloses these features, refer to claims 11-14 as disclosed above.

Conclusion

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to PTO New Central Fax number:

(571) 273-8300, (for Technology Center 2600 only)

*Hand deliveries must be made to Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu-Oanh Bui whose telephone number is (571) 272-7291. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller, can be reached at (571) 272-7353.

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Division or Art Unit 2623.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'K. Bui', with a long horizontal line extending from the end of the signature.

Kieu-Oanh Bui
Primary Examiner
Art Unit 2623

KB
Oct. 13, 2006